



**BILLING CODE: 3410-30-P**

**DEPARTMENT OF AGRICULTURE**

**Food and Nutrition Service**

**Agency Information Collection Activities: Proposed Collection; Comment Request –**

**Report of School Programs - FNS-10**

**AGENCY:** Food and Nutrition Service (FNS), USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on this existing information collection.

This collection is a revision of a currently approved collection for reporting school programs data on a monthly basis for the National School Lunch Program, the School Breakfast Program, and the Special Milk Program.

**DATES:** Written comments must be received on or before (insert date that is 60 days after publication in the Federal Register).

**ADDRESSES:** Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions that were used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including use of appropriate automated, electronic, mechanical, or

other technological collection techniques or other forms of information technology.

Comments may be sent to Jon Garcia, Acting Branch Chief, Program Analysis and Monitoring Branch, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 640, Alexandria, VA 22302. Comments will also be accepted through the Federal eRulemaking Portal. Go to <http://www.regulations.gov>, and follow the online instructions for submitting comments electronically.

All written comments will be open for public inspection at the office of the Food and Nutrition Service during regular business hours (8:30 a.m. to 5 p.m., Monday through Friday) at 3101 Park Center Drive, Room 640, Alexandria, Virginia 22302.

All responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will be a matter of public record.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of this information collection should be directed to Jon Garcia at (703) 305-2600.

## **SUPPLEMENTARY INFORMATION:**

Title: 7 CFR Part 210 National School Lunch Program, Part 220 School Breakfast Program, and Part 215 Special Milk Program

Form Number: FNS-10

OMB Number: 0584-0002

Expiration Date: 08/31/2012

Type of Request: Revision, of a currently approved collection

Abstract: The Food and Nutrition Service administers the National School Lunch Program, the School Breakfast Program, and the Special Milk Program as mandated by the Richard B. Russell National School Lunch Act (NSLA), as amended (42 U.S.C. 1751, et seq.), and the Child Nutrition Act of 1966, as amended (42 U.S.C. 1771, et seq.). As provided in 7 CFR 210.5 (d)(1), 210.4(b)(1)(ii), 215.10(b), and 220.13 (b)(2), “Each State agency must submit a final report of School Program Operations (FNS-10) to FNS for each month.” FNS uses form FNS-10 to collect data on school program operations from State agencies on a monthly basis. The form is an intrinsic part of the accounting system currently being used by the subject programs to ensure proper reimbursement in a timely manner. The FNS-10 form is provided to States through a web-based Federal reporting system, and 100 percent of the information is collected through electronic means. The burden hours have decreased from the previously approved burden (-2,448) due to a previous assessment of burden on the submission of optional reports (i.e., “90-Day” report revisions due to audits, investigations, or management evaluations and “60-Day” reports) of School Program Operations. For an example of the FNS-10 and its instructions, see Appendix A at the end of this notice.

Affected Public: State agencies

Estimated Number of Respondents: 56 State agencies

Estimated Number of Responses per Respondent: 24 (Each State agency will submit a 30-day report and a 90-day report for each month in the year.)

Estimated Total Annual Responses: 1,344

Reporting Time per Response: 2.25 hours

Estimated Annual Reporting Burden: 3,024 hours

See the table below for estimated total annual burden for each type of respondent.

Affected Public	Instrument	Estimated # Respondents	Responses Per Respondent	Total Annual Responses	Estimated Avg. # of Hours Per Response	Annual Burden Hours
State Agency	FNS-10, Report of School Program Operations	56	24	1,344	2.25	3,024
<b>TOTAL REPORTING BURDEN</b>		<b>56</b>		<b>1,344</b>		<b>3,024</b>

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April 19, 2012\_\_\_\_\_

Audrey Rowe  
Administrator  
Food and Nutrition Service

Date

Attachment: Appendix A: FNS-10 Report of School Program Operations

# Appendix A

## Sample Version of the Proposed FNS-10 and Instructions

<b>U.S. DEPARTMENT OF AGRICULTURE</b> <b>FOOD AND NUTRITION SERVICE</b>  <b>REPORT OF SCHOOL</b>  <b>PROGRAM OPERATIONS</b>  <small>STATE AGENCY: Submit report according to the instructions 30 and 90 days following the month being reported. Send original to the Regional Administrator, Food &amp; Nutrition Service.</small>		1. STATE   2. CALENDAR YEAR   3. MONTH	4. TYPE OF SUBMISSION ("X" ONE) A. <input type="checkbox"/> 30 - DAY B. <input type="checkbox"/> 60 - DAY C. <input type="checkbox"/> 90 - DAY D. <input type="checkbox"/> 90 - DAY REVISION NO. <small>(1 = 1st rev., 2 = 2nd, etc.)</small> E. <input type="checkbox"/> CLOSEOUT F. <input type="checkbox"/> OTHER - (Describe)	<b>FOR FNS USE ONLY</b>  CAL. YEAR    MONTH    TYP <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px;"></div> <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px;"></div> <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px;"></div> STATE CODE <div style="border: 1px solid black; width: 100px; height: 20px; margin: 2px;"></div>
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PART A - (Complete Monthly)						
ITEM	FOR FNS USE ONLY	NUMBER OF MEALS AND HALF-PINTS SERVED				
		PAID (A)	FREE (B)	REDUCED PRICE (C)	TOTAL (D)	AVERAGE DAILY MEALS (E)
<i>(Include Residential Child Care Institutions (RCCIs) in Items 5 thru 8.)</i>						
<b>5. NATIONAL SCHOOL LUNCH PROGRAM</b>	ACTUAL					
a. Total lunches served in the NSLP	ESTIMATED					
<i>(Include all lunches reported in 5b1 and 5b2)</i>	TOTAL					
b1. Lunches served in school food authorities that qualify the state for additional payment	ACTUAL					
	ESTIMATED					
	TOTAL					
b2. Lunches served in school food authorities certified for performance based reimbursement	ACTUAL					
	ESTIMATED					
	TOTAL					
c. Total afterschool snacks served in all approved schools and sites. (Include in Col. B, all free snacks reported in item 5d, below)	ACTUAL					
	ESTIMATED					
	TOTAL					
d. Total afterschool snacks served in area eligible schools and sites	ACTUAL					
	ESTIMATED					
	TOTAL					
<b>6. SCHOOL BREAKFAST PROGRAM</b>	ACTUAL					
	ESTIMATED					
<i>(Include schools with severe need)</i>	TOTAL					
<b>7. SCHOOL BREAKFAST PROGRAM</b>	ACTUAL					
	ESTIMATED					
<i>(Severe need only)</i>	TOTAL					
<b>8. COMMODITY SCHOOLS</b>	ACTUAL					
	ESTIMATED					
<i>(Lunches only)</i>	TOTAL					
<b>9. SPECIAL MILK PROGRAM</b>	ACTUAL					
a. Schools	ESTIMATED					
<i>(Include Residential Child Care Institutions)</i>	TOTAL					
	ACTUAL					
b. Nonresidential Child Care Institutions	ESTIMATED					
	TOTAL					
	ACTUAL					
c. Summer camps	ESTIMATED					
	TOTAL					


FORM FNS-10 (04-09) Previous Editions Obsolete

**SBU**

Electronic Form Version Designed in Adobe 9.1 Version

NO FURTHER MONIES OR OTHER BENEFITS MAY BE PAID OUT UNDER THESE PROGRAMS  
 UNLESS THIS REPORT IS COMPLETED AND FILED AS REQUESTED BY EXISTING REGULATIONS  
 (7 C.F.R. 210, 215, & 220)

PART B - (Complete Once A Year As Specified)								
ITEM	FOR FNS USE ONLY	NUMBER OF MEALS SERVED						
		PAID (A)	FREE (B)	REDUCED PRICE (C)	TOTAL (D)	AVERAGE DAILY MEALS (E)		
<b>10. REPORT NO. OF MEALS SERVED IN PRIVATE SCHOOLS ONLY</b>								
a. National School Lunch Program								
b. Afterschool snacks (include area eligible snacks reported in 10c.)								
c. Afterschool snacks served in area eligible schools & sites.								
d. School Breakfast Program (include severe need)								
e. Severe Need School Breakfast Program								
<b>11. REPORT NO. OF MEALS SERVED IN RCCI'S ONLY</b>								
a. National School Lunch Program								
b. NSLP - Snacks								
c. School Breakfast Program (include severe need)								
d. Severe Need School Breakfast Program								
<b>OCTOBER</b>								
<b>OPERATING A PROGRAM THIS MONTH</b>		NATIONAL SCHOOL LUNCH (F)	NSLP SNACKS (All schs & sites; incl. Col. H) (G)	NSLP SNACKS (Area Elig. Only) (H)	SCHOOL BREAKFAST (Inc. Sev. Nd) (I)	SCHOOL LUNCH (Sev. Nd Only) (J)	COMMODITY (K)	SPECIAL MILK (L)
12a. Number of Public Schools								
b. Membership (Enrollment)								
13a. Number of Private Schools								
b. Membership (Enrollment)								
14a. Number of Residential Child Care Institutions								
b. Membership (Enrollment)								
<b>15. NUMBER OF CHILDREN APPROVED FOR:</b>								
a. Free Lunches - - TOTAL								
b. Reduced-price Lunches - - TOTAL								
<b>16. NUMBER OF NONRESIDENTIAL CHILD CARE INSTITUTIONS</b>								
<b>JULY</b>								
<b>17. NUMBER OF SUMMER CAMPS OPERATING A PROGRAM FOR THE MONTH OF JULY ONLY</b>								
<b>18. REMARKS</b>								

 I CERTIFY THAT THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.		19. AGENCY	
20. SIGNATURE		21. TITLE	
		22. DATE SIGNED	



## INSTRUCTIONS

### (ALL ITEMS SELF-EXPLANATORY UNLESS NOTED BELOW)

For each applicable month, all schools, residential and nonresidential child care institutions, and summer camps known to have operated a program during the month being reported should be accounted for on this report. The 30-day report should include "actual" data from valid claims on hand, and "estimated" data for those claims which have not been validated or received by the reporting due date. In any event, data reported which is not based on valid claim data should represent the best estimate of the reporting office of the actual level of operation. The 30-day report is due in the FNS Regional Office 30 days following the month being reported.

A 60-day report is not required.

The 90-day report containing only valid final claim data must be submitted to the FNS Regional Office within 90 days following the month being reported. The 90-day report must not contain "estimated" data for any item.

For completion of the Form FNS-10, the following reporting schedule should be followed:

1. Items 5 through 9, MONTHLY.
2. Items 10 through 16, ONCE A YEAR, October.
3. Item 17, ONCE A YEAR, July.

If any of the items do not apply to the State Agency's operation, please leave appropriate spaces blank.

#### DEFINITIONS (for the purpose of this report):

1. "Average Daily Meals" is the number of meals served on an average day during the month being reported. It may be determined in accordance with the following example: School A served for 20 days a total of 2,000 meals; 2,000 divided by 20 equals an average of 100 meals served daily. School B served for 16 days a total of 2,400 meals; 2,400 divided by 16 equals an average of 150 meals served daily. School C served for 30 days a total of 1,800 meals; 1,800 divided by 30 equals an average of 60 meals served daily. One hundred (Average daily meals served for School A) plus 150 (Average daily meals served for School B) plus 60 (Average daily meals served for School C) equals 310, total aggregate average daily meals for the three schools.

The reporting office may use any valid method to determine the number of average daily meals. The method chosen however, should provide a result similar to the result obtained in the calculation method cited above. Under normal circumstances, the number of average daily meals should not vary appreciably from one month to the next. If there is any significant monthly change in the number of average daily meals served, it should be explained in the "Remarks" section of the report.

Note: Unless all schools and residential child care institutions in the State have the same number of food service operating days, do not divide total meals served in the State by the number of calendar school days in order to determine the number of average daily meals for the State. This method will result in significant monthly variations in the data reported, and is not an accurate measure of the number of average daily meals.

In addition to the "Paid", "Free", and "Reduced Price" meals reported each month, "Average Daily Meals" is the primary element used by FNS during the fiscal year to project State agency operational levels.

2. A "Commodity School" is a school that does not participate in the NSLP but which operates a nonprofit lunch program and receives donated foods, or receives donated foods and cash or services of a value of up to 5 cents per lunch in lieu of donated food for processing and handling the foods.

3. A "Free Meal" is one which is served to a needy child determined to be eligible for such meal under the eligibility criteria of the School Food Authority or residential child care institution approved by the State Agency.

4. "Free Milk" is milk served under the Special Milk Program to needy children determined to be eligible for such milk under the eligibility criteria of the School Food Authority or child care institution approved by the State Agency.

5. **Membership (Enrollment)** - A pupil is a member of a school from the date he presents himself/herself at school and is placed on the current roll until he/she permanently leaves the school for one of the causes recognized as sufficient by the State. The date of permanent withdrawal should be the date on which it is officially known that the pupil has left school, and not necessarily the first day after the date of last attendance. Membership is obtained by adding the total original entries and the total reentries and subtracting the total withdrawals; it may also be obtained by adding the total number present and the total number absent. This term is also known as the number belonging. This same definition may be applied to residential child care institutions.

Membership should be based on the State agency's best assessment of available records for the month of October. Membership may be determined either by using one operating day or by averaging several or all operating days in October.

6. A "Nonresidential Child Care Institution" is a licensed nonschool public or nonprofit private institution providing day care services where children are not maintained in residence.

7. A "Paid Meal" is one which is served to a child who has not been determined to be eligible to receive "free or reduced price meals," as defined herein.

8. A "Reduced Price Meal" is one which is served to a needy child determined to be eligible for such meal under the eligibility criteria of the School Food Authority or residential child care institution approved by the State Agency. The reduced meal price must be less than the full meal price and must be 40 cents or less for lunches and 30 cents or less for breakfasts.

9. A "Residential Child Care Institution" is a public or licensed nonprofit private organization including but not limited to orphanages, homes for the mentally retarded, etc., where children are maintained in residence.

10. A "School" is an educational unit of high school grade or under operating under public or nonprofit private ownership in a single building or complex of buildings. When separately administered elementary and secondary grade levels are housed in the same building, each is considered a separate school. When both levels are administered as one unit, it should be considered a single school.

11. A "School Food Authority" is the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a lunch program therein.

12. A school with "severe need" is a school which is approved for School Breakfast Program reimbursement in excess of the specified standard rates of reimbursement.

13. "Total Meals" and "Total Half-pints of Milk" are all free, reduced price, and paid meals and all free and paid milk served during the month being reported to all eligible children participating in the child nutrition programs covered by this report.

14. A "site" is a nonschool facility participating under the agreement of a School Food Authority and offering afterschool snacks.

15. "Area eligible" means a school or site located in the attendance area of a school in which at least 50% of the enrolled children are certified eligible for free or reduced price meals.

16. A school food authority certified for "Performance based" reimbursement earns an additional National Lunch Program per lunch reimbursement of 6 cents, adjusted annually.

## MONTHLY REPORTING

**Note:** If complete valid claim data is not available for Items 5 through 9 by the due date, estimates will need to be developed in order to complete the 30-day report. While the reporting office may use whatever methods are most suitable to their needs, the following method is suggested:

For all claims not received for schools and institutions known to be operating a program(s), adjust the most recently received valid claim record available for a full operating month for each reporting unit to the days of operation for the current month. The sum of the estimated outstanding claims should be reported on the "estimated data" line. The sum of the valid claims received should be reported on the "actual data" line. The sum of estimated outstanding claims when added to the tabulation of valid claims actually received should be reported on the "total data" line.

It should be noted that this method may not be appropriate for estimating data for the summer months, the beginning of the fall school term, or any other month affected by inclement weather, strikes, widespread illness, etc.

Any estimation method used by the reporting office will be measured by FNS for accuracy. Reporting offices should make reasonable adjustments for any known program growth or decline.

### Item

5a. Enter in appropriate columns the total number of lunches served in schools and residential child care institutions to eligible participants. Any lunches served to persons not eligible for program participation or any served that do not meet the Lunch Pattern Requirements are examples of lunches that must not be reported. (Include all lunches reported in 5b.)

5b1. Enter total number of lunches served in school food authorities that qualify the State for additional payment.

5b2. Enter the total number of lunches served in school food authorities certified to receive performance based reimbursement.

5c. Enter in appropriate columns, the total number of snacks served to eligible children in after school care programs as authorized by regulation. Any snacks served to persons not eligible for program participation or any served that do not meet the meal pattern requirements are examples of snacks that must not be reported.

5d. Enter in Column B, the total number of snacks served free to children in afterschool care programs in area eligible schools and sites. Any snacks served to persons not eligible for program participation or any served that do not meet the meal pattern requirements are examples of snacks that must not be reported.

6. Enter in appropriate columns the number of breakfasts served in schools and residential child care institutions to eligible participants. Include breakfasts served in schools and residential child care centers designated by the State Agency as Severe Need programs. Any breakfasts served to persons not eligible for program participation, or any served that do not meet at least the basic meal requirements are examples of breakfasts that must not be reported.

7. Following the same procedure as for Item 6, report only free and reduced-price breakfasts served in the Severe Need Programs. Those breakfasts should be included in Item 6. Report the total of free and reduced-price Severe Need breakfasts in Column D of Item 7.

8. Enter in appropriate columns the number of lunches served to eligible participants. Include lunches served in both Commodity schools and Commodity residential child care institutions. Any lunches served to persons not eligible for program participation, or any served that do not meet the requirements as set forth in Part 210.10 of the NSLP regulations, are examples of lunches that must not be reported.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB Control Number for this information collection is 0584-0002. The time required to complete this information collection is 2 hours and 15 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection.

**Note:** For Items 5, 6, 7, 8, 10, and 11, Column E, compute "Average Daily Meals" in accordance with Definition No. 1.

9. Enter in appropriate columns by applicable outlet unit the number of half-pints of milk served in the Special Milk Program (SMP) to eligible participants. Milk served in nonpricing outlets should be counted as paid milk served. Include SMP milk served in residential child care institutions with milk served in schools.

## ONCE-A-YEAR REPORTING FOR THE MONTH OF OCTOBER (90-day report only)

### Item

10. Enter in appropriate columns the number of lunches, breakfasts and snacks served in private schools to eligible participants. Any meals served to persons not eligible for program participation, or any served that do not meet at least the basic meal requirements are examples of meals that must not be reported. For Item 10e, report the total of free and reduced-price Severe Need breakfasts in Column D.

11. Enter in appropriate columns the number of lunches, snacks, and breakfasts served in residential child care institutions to eligible participants. Any meals served to persons not eligible for program participation, or any served that do not meet at least the basic meal requirements are examples of meals that must not be reported. For Item 11d, report the total of free and reduced-price severe need breakfasts in Column D.

12. Enter in appropriate columns the number of public schools participating in the child nutrition programs covered by this report. Report in Column G the total number of public schools and sites serving afterschool snacks, including area eligible schools and sites. Report only the area eligible public schools and sites in Column H. Enter in the appropriate columns the aggregate membership (enrollment) of participating public schools only.

13. Enter in appropriate columns the number of private schools participating in the child nutrition programs covered by this report. Report in Column G the total number of private schools and sites serving afterschool snacks, including area eligible schools and sites. Report only the area eligible private schools and sites in Column H. Enter in the appropriate columns, the aggregate membership (enrollment) of participating private schools only.

14. Enter in appropriate columns the number of residential child care institutions (public and private combined) participating in the lunch, snack, breakfast, commodity, and milk programs and their aggregate membership (enrollment).

15. Enter in Column F the number of children approved for free lunches in public schools, private schools, and RCCIs, and the number of children approved for reduced-price lunches in public schools, private schools, and RCCIs.

16. Enter in Column L the number of nonresidential child care institutions (public and private combined) participating in the Special Milk Program.

## ONCE-A-YEAR REPORTING FOR THE MONTH OF JULY

17. Enter in Column L the number of nonprofit summer camps (public and private combined) which served milk in the Special Milk Program during the month of July.



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